

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO.5623 OF 1985

For Approval and Signature

The Hon'ble Mr. Justice S.K. KESHOTE

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1. Whether reporters of local papers may be allowed to see the judgment ?
  2. To be referred to the reporters or not ?
  3. Whether their lordships wish to see the fair copy of the judgment ?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950, or any order made thereunder ?
  5. Whether it is to be circulated to the Civil Judge?

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MOTISINH BAPUSINH RATHOD  
VERSUS  
THE STATE OF GUJARAT & ORS.

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Appearance:

None present for Petitioner  
MR HL JANI for Respondents

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Coram: S.K. Keshote,J  
Date of decision: 9/12/1997

C.A.V. JUDGMENT

Perused the Special Civil Application and heard  
the learned counsel for respondents.

2. The order impugned has been passed in this Case  
under Section 73-AA of the Bombay Land Revenue Code.  
Admittedly, the land has been taken by the petitioner  
from respondent No.3 in contravention of the provisions  
of Section 73-AA of the Bombay Land Revenue Code and as  
such both the authorities have not committed any  
illegality in passing the impugned orders. In the  
result, this Special Civil Application fails and the same  
is dismissed. Rule discharged. Interim relief, if any,  
granted by this Court, stands vacated. No order as to  
costs.

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(sunil)